

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

v.

**5:05-CR-217
(FJS)**

**GREGORY-JASON, a/k/a GREGORY-JASON:
family of Thomas, a/k/a GREGORY THOMAS;
and GERALD-NORMAN, a/k/a GERALD-
NORMAN: family of Thomas, a/k/a GERALD
THOMAS, JR., a/k/a BJ THOMAS,**

Defendants.

SCULLIN, Senior Judge

ORDER

Based upon Defendants' irrational submissions to and their demeanor and statements before this Court, most recently at the October 19, 2006 sentencing proceedings, the Court finds that there is "reasonable cause to believe that the defendant[s] may presently be suffering from a mental disease or defect rendering [them] mentally incompetent to the extent that [they are] unable to understand the nature and consequences of the proceedings against [them] or to assist properly in [their] defense." 18 U.S.C. § 4241(a). Accordingly, the Court hereby

ORDERS that Defendant Gregory-Jason is committed to the custody of the Attorney General for a reasonable period not to exceed thirty (30) days for a psychiatric or psychological examination conducted by a licensed or certified psychiatrist or psychologist to determine his current mental competence pursuant to 18 U.S.C. §§ 4241, 4247; and the Court further

ORDERS that the psychiatrist or psychologist who performs the psychiatric or psychological examination of Defendant Gregory-Jason shall prepare a psychiatric or

psychological report and file the same with the Court, with copies to Assistant United States Attorney Edward Broton and Defendant Gregory-Jason, in accordance with the provisions of 18 U.S.C. § 4247(c); and the Court further

ORDERS that Defendant Gerald-Norman is committed to the custody of the Attorney General for a reasonable period not to exceed thirty (30) days for a psychiatric or psychological examination conducted by a licensed or certified psychiatrist or psychologist to determine his current mental competence pursuant to 18 U.S.C. §§ 4241, 4247; and the Court further

ORDERS that the psychiatrist or psychologist who performs the psychiatric or psychological examination of Defendant Gerald-Norman shall prepare a psychiatric or psychological report and file the same with the Court, with copies to Assistant United States Attorney Edward Broton and Defendant Gerald-Norman, in accordance with the provisions of 18 U.S.C. § 4247(c); and the Court further

ORDERS that Defendant Gregory-Jason and Defendant Gerald-Norman be examined at the suitable facility closest to the Court as designated by the Federal Bureau of Prisons; and the Court further


ORDERS that the United States Marshal Service shall transport Defendant Gregory-Jason and Defendant Gerald-Norman to the institution(s) that the Federal Bureau of Prisons designates for their psychological or psychiatric examinations;¹ and the Court further

¹ The Court strongly recommends that the Federal Bureau of Prisons designate the **Metropolitan Correctional Center** as the appropriate facility for these examinations, particularly in light of the fact that this Facility is familiar with, and has been the designated facility for, the examinations of other Defendants from this District who have offered similar arguments and defenses.

ORDERS that the Clerk of the Court shall serve a copy of this Order on the Government's counsel, Defendant Gregory-Jason and Defendant Gerald-Norman.

IT IS SO ORDERED.

Dated: October 23, 2006
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Court Judge